

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION**

DAVID E. HIGGINS,)	
)	
Plaintiff,)	
)	
v.)	Civil No. 1:07CV277
)	
MICHAEL J. ASTRUE,)	
Commissioner of Social Security,)	
Defendant.)	

O R D E R

THIS MATTER is before the Court on Plaintiff's "Application for Attorney Fees Under the Equal Access to Justice Act" filed on February 25, 2008. By Response filed February 28, 2008, Defendant advises that the parties have reached an agreement on this matter and he will not oppose an award of legal fees in the amount of \$3,415.00 for attorney fees, \$350.00 for the initial filing fee and \$16.14 for certified mail costs provided this is the only petition filed by Plaintiff in this case under 28 U.S.C. § 2412(d).

IT IS, THEREFORE, ORDERED that the Plaintiff's "Application for Attorney Fees Under the Equal Access to Justice Act" is **GRANTED**, and Plaintiff is hereby awarded \$3,415.00 for attorney fees, \$350.00 for the initial filing fee, and \$16.14 for certified mail costs.

IT IS FURTHER ORDERED that, pursuant to the agreement of the parties herein, no additional petition pursuant to 28 U.S.C. § 2412(d) shall be filed.

Signed: February 29, 2008

A handwritten signature in dark ink, appearing to read "L. H. Thornburg", written over a horizontal line.

Lacy H. Thornburg
United States District Judge

